

2010r00115
cjk/ja

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA,

Plaintiff,

v.

TIGER ASIA MANAGEMENT,
LLC.,

Defendant.

Honorable Stanley R. Chesler

Criminal No. 12- 808

CONSENT JUDGMENT AND
ORDER OF FORFEITURE

WHEREAS, on or about December 12, 2012, defendant Tiger Asia Management, LLC pled guilty pursuant to a plea agreement with the United States to an Information charging it with committing wire fraud in violation of 18 U.S.C. § 1343; and

WHEREAS, pursuant to 18 U.S.C. §§ 981(a)(1)(C) and 982(a)(2) and 28 U.S.C. § 2461(c), a person convicted of an offense in violation of 18 U.S.C. § 1343 shall forfeit to the United States any property, real or personal, that constitutes or is derived from proceeds traceable to the commission of the offense; and

WHEREAS the sum of \$16,257,918 is subject to forfeiture by defendant Tiger Asia Management, LLC as property that constitutes or is derived from proceeds traceable to the offense to which defendant Tiger Asia Management, LLC has pled guilty; and

WHEREAS defendant Tiger Asia Management, LLC:

(1) Consents to the forfeiture to the United States of \$16,257,918 as property that constitutes or is derived from proceeds traceable to the offense to which it pled guilty;

(2) Agrees to consent promptly upon request to the entry of any orders deemed necessary by the government or the Court to complete the forfeiture and disposition of property;

(3) Waives the requirements of Federal Rules of Criminal Procedure 32.2 and 43(a) regarding notice of forfeiture in the charging instrument, announcement of the forfeiture in the defendant's presence at sentencing, and incorporation of the forfeiture in the Judgment of Conviction;

(4) Acknowledges that it understand that forfeiture of property will be part of the sentence imposed upon it in this case and waives any failure by the Court to advise it of this, pursuant to Federal Rule of Criminal Procedure 11(b)(1)(J), during the plea hearing;

(5) Agrees, pursuant to Rule 32.2(b)(3), to consent promptly to the finalization of the order of forfeiture before sentencing if requested by the government to do so;

(6) Waives, and agrees to hold the United States and its agents and employees harmless from, any and all claims whatsoever in connection with the seizure, forfeiture, and disposal of the property described above; and

(7) Waives all constitutional and statutory challenges of any kind to any forfeiture carried out pursuant to this Consent Judgment;

WHEREAS Rule 32.2(c)(1) provides that no ancillary proceeding is required to the extent that the forfeiture consists of a money judgment; and

WHEREAS good and sufficient cause has been shown,

It is hereby **ORDERED, ADJUDGED, AND DECREED:**

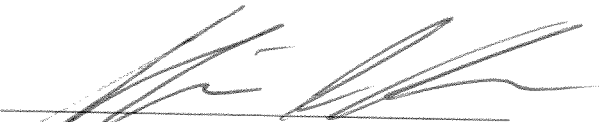
THAT, pursuant to 18 U.S.C. § 982, defendant Tiger Asia Management, LLC shall forfeit to the United States the sum of \$16,257,918; and

IT IS FURTHER ORDERED that a money judgment in the amount of \$16,257,918 shall be entered against defendant Tiger Asia Management, LLC; and

IT IS FURTHER ORDERED that the United States District Court shall retain jurisdiction to enforce this Order, and to amend it as necessary, pursuant to Fed. R. Crim. P. 32.2(e); and

IT IS FURTHER ORDERED that pursuant to Rule 32.2(b)(4)(A), this Order of Forfeiture shall become final as to defendant Tiger Asia Management, LLC at the time of sentencing, or before sentencing if the defendant consents, and shall be made part of the sentence and included in the judgment.


ORDERED this 12 day of Dec, 2012.



Honorable Stanley R. Chesler
United States District Judge

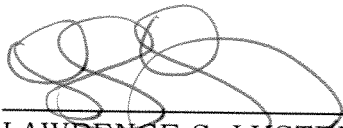
The undersigned hereby
consent to the entry and
form of this order:

PAUL J. FISHMAN
United States Attorney



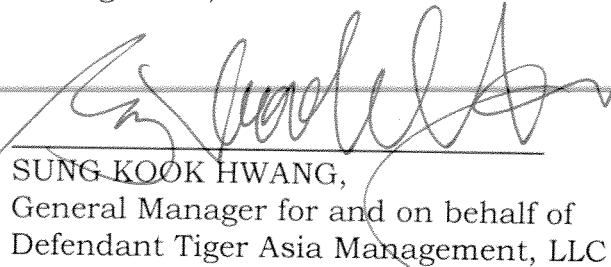
By: CHRISTOPHER J. KELLY
Assistant United States Attorney

Dated: 12/12/12



LAWRENCE S. LUSTBERG, ESQ.
Attorney for Defendant Tiger Asia
Management, LLC

Dated: 12/12/12



SUNG KOOK HWANG,
General Manager for and on behalf of
Defendant Tiger Asia Management, LLC

Dated: 12/12/12